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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/734,316

12/12/2003

Jin-Meng Ho

TI-36066

1371

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EXAMINER

JOSEPH, JAISON

ART UNIT

PAPER NUMBER

2611

NOTIFICATION DATE

DELIVERY MODE

01/24/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@ti.com  
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## Office Action Summary

Application No.

10/734,316

Applicant(s)

HO, JIN-MENG

Examiner

Jaison Joseph

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-11 and 18-21 is/are allowed.
- 6) ☒ Claim(s) 1-5, 7 and 12-17 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments with respect to claims 1 – 5, 7, and 12 - 17 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 5, 7, and 12 – 17 are rejected under 35 U.S.C. 102 (b) as being anticipated by Fleek et al. (US Patent 5,533,025).

Regarding claim 1, Fleek et al teach a method of wireless communication that comprises: receiving a beacon frame that specifies a rotation sequence and a hopping sequence (see figure 7 and column 7, lines 29 – 37, Fleek et al teach that beacon signal indicate the pattern that being used and the current index in the pattern that is the index indicating that which point in the given frequency pattern the radio transceiver will next be hopping to is equivalent oh having the rotation sequence and the frequency hopping sequence); missing a subsequent beacon frame (see column 9, lines 20 – 27); and using the rotation sequence and hopping sequence received previously to determine a current frequency hopping sequence for a current superframe following the missed beacon frame (see column 9, lines 20 – 27).

Regarding claim 2, which inherits the limitations of claim 1, Fleek et al further teach 2 using the current frequency hopping sequence to receive a frame transmitted during the current superframe (see figure 7).

Regarding claim 3, which inherits the limitations of claim 1, Fleek et al further teach 2 using the current frequency hopping sequence to transmit a frame transmitted during the current superframe (see figure 7).

Regarding claim 4, which inherits the limitations of claim 1, Fleek et al further teach wherein the beacon frame includes an information element that specifies the rotation sequence and a frequency hopping sequence for a superframe following the beacon frame (see column 7, lines 29 – 37).

Regarding claim 5, which inherits the limitations of claim 4, Fleek et al further teach wherein the rotation sequence is specified in terms of a rotation index and the hopping sequence is specified in terms of a hopping index (see column 7, lines 29 – 37).

Regarding claim 7, which inherits the limitations of claim 1, Fleek et al further teach wherein the hopping sequence is from a pool of hopping sequences that has a minimum cross-correlation (see column 7, lines 29 – 37).

Regarding claim 12 and 13, the claimed apparatus including the features corresponds to subject matter mentioned in the rejection of claim 1 is applicable hereto. Further Fleek et al teach the operations can be done by using software, which runs on a microcontroller and stored in a memory (see column 4, lines 63 – 68).

Regarding claim 14, which inherits the limitations of claim 13, the claimed apparatus including the features corresponds to subject matter mentioned in the rejection of claim 2 is applicable hereto.

Regarding claim 15, which inherits the limitations of claim 12, the claimed apparatus including the features corresponds to subject matter mentioned in the rejection of claim 2 is applicable hereto.

Regarding claim 16, which inherits the limitations of claim 15, the claimed apparatus including the features corresponds to subject matter mentioned in the rejection of claim 7 is applicable hereto.

Regarding claim 17, which inherits the limitations of claim 12, the claimed apparatus including the features corresponds to subject matter mentioned in the rejection of claim 7 is applicable hereto.

***Allowable Subject Matter***

Claims 8 – 11 and 18 – 21 are allowable over prior art of record.

Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jaison Joseph whose telephone number is (571) 272-6041. The examiner can normally be reached on M-F 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on (571) 272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jaison Joseph  
01/15/2008

  
CHIEH M. FAN  
SUPERVISORY PATENT EXAMINER